

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TECHNOLOGY PROPERTIES LIMITED LLC
and MCM PORTFOLIO LLC,

Plaintiffs,

v.

CANON, INC. et al.,

Defendants.

No. C 14-3640 CW

ORDER ON MOTIONS
FOR STAY OF
LITIGATION AND FOR
EXTENSION OF TIME

(Docket No. 396)

TECHNOLOGY PROPERTIES LIMITED LLC
and MCM PORTFOLIO LLC,

Plaintiffs,

v.

HEWLETT-PACKARD COMPANY,

Defendant.

No. C 14-3643 CW

(Docket Nos. 168
and 170)

Plaintiff Technology Properties Limited LLC (Technology Properties) and its counsel The Simon Law Firm, P.C. (Simon Law) filed a Motion for Stay of the Litigation Pending Substitution of Counsel for Plaintiff MCM Portfolio LLC (MCM). Docket No. 396, Motion for Stay.¹ Together, Plaintiffs also filed a Motion for Extension of Time to Submit Proposal on Representative Products, which Defendant Hewlett-Packard Company (HP) opposes. Oral argument is vacated. The Court discusses each issue below.

¹ Unless otherwise specified, all docket numbers refer to Case Number 14-3640.

1 I. Motion for Stay Pending Substitution of Counsel

2 In their motion, Technology Properties and Simon Law explain
3 that Simon Law represents both Technology Properties and MCM.
4 They state that, because MCM terminated its attorney/client
5 relationship with Simon Law, Simon Law cannot continue to take any
6 action on behalf of MCM. They also argue that, due to several
7 approaching deadlines, the litigation must be stayed to allow
8 substitute counsel to enter on behalf of MCM and to educate itself
9 on the issues. However, MCM responds that MCM "has been and
10 continues to be represented by Bunsow De Mory Smith & Allison LLP
11 in this litigation as well as several other law firms with respect
12 to a variety of matters." Docket No. 399, Opp. to Stay, at 2.
13 Because MCM is represented, these arguments are unavailing.

14 Technology Properties and Simon Law also state that "a
15 dispute has arisen between [Technology Properties] and MCM that
16 must be resolved by independent counsel and may require
17 intervention of the Bankruptcy Court." Motion for Stay at 3. It
18 is not clear what the nature of the dispute is, or how it would
19 affect the litigation. In addition, it is not clear why Simon Law
20 would require guidance from the Bankruptcy Court to continue
21 representing Technology Properties. For these reasons, the Court
22 DENIES the motion for stay (Docket No. 396).

23 II. Motion for Extension of Time to Submit Proposal on
24 Representative Products

25 Plaintiffs filed a motion for extension of time for
26 Plaintiffs to submit a proposal on representative products.
27 Docket No. 400. In Case Number 14-3640, the parties stipulated,
28 and the Court ordered, to extend the deadline to agree on

1 representative products until the resolution of the motion for
2 stay; the motion for extension in that case is moot, and the Court
3 discusses new deadlines below. In Case Number 14-3643, HP has
4 filed its proposed resolution and opposes the motion.

5 The Court GRANTS Plaintiffs' motion for an extension of time
6 (Case No. 14-3643, Docket No. 170). Within one week of the filing
7 of this order, the Canon Defendants must file their proposal.
8 Within two weeks of the filing of this order, Plaintiffs must file
9 their proposal. The Court encourages the parties to continue
10 working to find a mutually agreeable solution.

11 IT IS SO ORDERED.

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13 Dated: March 22, 2016



14 CLAUDIA WILKEN
15 United States District Judge
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